

LIVINGSTON ASSET MANAGEMENT, LLC	IN THE
Plaintiff	* UNITED STATES DISTRICT COURT
v.	* FOR
ENZOLYTICS, INC.	* THE DISTRICT OF MARYLAND
Defendant	* NORTHERN DIVISION
	* CIVIL ACTION NO. 1:18-cv-02088-GLR
* * * * *	

JOINT MOTION TO SCHEDULE HEARING BEFORE MAGISTRATE

Plaintiff, LIVINGSTON ASSET MANAGEMENT, LLC (“Plaintiff”) and Defendant, ENZOLYTICS, INC. (“Defendant”), by their attorneys, hereby file this joint motion to schedule a hearing before a Magistrate, and state as follows

1. Plaintiff filed its Complaint on July 9, 2018 seeking this Honorable Court’s Order approving a settlement between the Parties under Section 3(a)(10) of the Securities Act of 1933 (“Section 3(a)(10)”);
2. Plaintiff’s Complaint included a copy of a Settlement Agreement and Stipulation dated June 25, 2018, executed by Plaintiff and Defendant (the “Settlement Agreement”), which is attached again hereto as Exhibit A.
3. Section 3(a)(10) requires that a hearing on the fairness of the terms of the Settlement Agreement be conducted by the Court (“Fairness Hearing”), and such Fairness Hearing may be held before a Magistrate Judge.
4. Plaintiff’s Complaint sought as relief the scheduling of a Fairness Hearing.

5. Defendant filed its Answer on July 30, 2018, which admitted all allegations in Plaintiff's Complaint, and which likewise sought as relief the scheduling of a Fairness Hearing.
6. There is no dispute among the parties as to matters of fact, and the parties affirm that the terms they have agreed to in the Settlement Agreement are fair to both Plaintiff and Defendant.
7. The Parties have attached a proposed Order Granting Approval of Settlement Agreement and Stipulation for this Honorable Court's review as Exhibit B.

WHEREFORE, for all of the foregoing reasons, the parties jointly and respectfully request that this Court schedule the matter for a hearing on the fairness of the terms of the Settlement Agreement before a Magistrate Judge.

Respectfully submitted,

/s/ Matheau J. W. Stout

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